

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH A. FESSLER,

Plaintiff,

v.

KIRK SAUER, et al.,

Defendants.

CIVIL ACTION NO. 3:10-CV-1050

(JUDGE CAPUTO)

ORDER

NOW this 23rd day of January, 2013, after consideration of the Magistrate Judge's Report and Recommendation (Doc. 62), **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 62) is **ADOPTED**.
- (2) Plaintiff Joseph Fessler's Motion for Permission to File Another Lawsuit (Doc. 56) is **DENIED**.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo

A. Richard Caputo
United States District Judge